

**STAMFORD PLANNING BOARD
APPROVED MINUTES - TUESDAY, NOVEMBER 28, 2023
REGULAR MEETING & PUBLIC HEARING
VIA THE INTERNET & CONFERENCE CALL
Regular Meeting - 6:30 p.m. / Public Hearing - 7:00 p.m.**

ZOOM WEBINAR
<https://us02web.zoom.us/j/86910630721>

Webinar ID: 869 1063 0721
Passcode: 993766

Stamford Planning Board Members present were: Voting Members: Theresa Dell, Chair; Jay Tepper, Vice Chair; and Michael Buccino. Alternates: William Levin and Stephen Perry. Absent: Jennifer Godzeno, Secretary and Michael Totilo, Voting Member. Present for staff: Lindsey Cohen, Associate Planner.

Ms. Dell called the meeting to order at 6:33 p.m.

Ms. Dell introduced the members of the Board and staff present and introduced the first item on the agenda.

PLANNING BOARD MEETING MINUTES:

November 14, 2023: After a brief discussion, Mr. Perry moved to recommend *approval* of the Planning Board Regular Meeting Minutes of November 14, 2023; Mr. Buccino seconded the motion, and passed unanimously with eligible members present voting, 4-0 (Dell, Buccino, Perry and Tepper). (Mr. Levin was ineligible to vote as he was absent at the November 14, 2023 meeting.)

ZONING BOARD REFERRALS:

1. ZB APPLICATION #223-43 - 375 FAIRFIELD AVENUE ASSOCIATES - 375 FAIRFIELD AVENUE - Site & Architectural Plans and/or Requested Uses and Special Permit: Applicant is proposing to construct two (2) new warehouse/flex industrial/commercial buildings on the property. Proposed Building A will be three (3) stories and approximately 54,156 sq. ft. Approximately 1,044 sq. ft. of additional floor area will be built to accommodate a fast casual food service tenant that is complementary to the anticipated use. Proposed Building B will be one (1) story and approximately 39,980 sq. ft.

The property is in Master Plan Category #13 (Industrial - General). The Application is for site plan approval and special permit approval for a Large-Scale Development. The Large-Scale Development Review requirement applies to all properties in the M-G General Industrial Zoning District in which this property is located for any new non-residential structure greater than or equal to 20,000 sq. ft. The site plan review is required as part of the Large-Scale Development Review. The site buildings are currently occupied by a mix of permitted industrial users (e.g., printing, roofing, storage) in an area with similar users. The Applicant expresses a regional demand for these types of uses as evident by full occupancy of existing buildings and calls from potential tenants/discussions with existing tenants. The use and expansion of use via site plan and special permit approval is aligned with the intent of the Master Plan Category to “provide for and protect existing industrial development and preserve opportunities for new industrial uses.” The plans will further align the site with existing Zoning Regulations including new landscaped parking area and sidewalks that will have a positive outward impact on this area, reinforcing the preservation of existing industrial areas. As such, approval of this application is recommended. The proposal is also aligned with the following Master Plan strategies and policies:

- Policy 3A: Increase economic resiliency and diversity.
- Policy 7H: Encourage infill development.
- Policy 7V: Energy efficient lighting and reduced ambient light.

William Hennessey, Carmody Torance Sandak & Hennessey, LLP, representing the applicant, made a presentation and answered questions from the Board.

The Planning Board felt there should be more outdoor space for employees and the rooftop space should be useable.

After a brief discussion, Mr. Levin recommended **approval** of **ZB Application #223-43** and that this request is in general harmony with Master Plan Category #13 (Industrial - General); Mr. Tepper seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Buccino, Levin, Perry, Tepper).

Ms. Dell suspended the Regular Meeting and opened the Public Hearing.

PUBLIC HEARING BEGAN AT 7:00 P.M.

INSTRUCTIONS FOR THE PUBLIC TO SPEAK

- *Speakers from the public will have 5 minutes each to speak.*
- *Any public speaker wishing to submit written testimony prior to the meeting can send it to Lindsey Cohen, Associate Planner at lcohen@stamfordct.gov or to Theresa Dell, Planning Board Chair at tdell@stamfordct.gov or submit the request through a Chat message to the Planning Board Chair during the meeting.*
- *During the meeting, please do not send Chat messages to “Everyone” because it is distracting for all attendees.*
- *All public speakers wishing to speak at the Public Hearing shall send a Chat message to the Moderator/Planning Board Chair with their name and address to sign-up to speak.*
- *All public speakers shall announce their name and address clearly for the record prior to speaking.*

MASTER PLAN AMENDMENTS:

1. **MASTER PLAN AMENDMENT #MP-444 - JOSEPH J. CAPALBO II, ESQ. representing HORN & HOOFF PROPERTIES, LLC - 961 LONG RIDGE ROAD & 16 WIRE MILL ROAD** (*Continued from the June 27, 2023; August 29, 2023 & September 26, 2023 Meetings*): Applicant is proposing to amend the City of Stamford 2015 Master Plan Map changing the Master Plan designation of 961 Long Ridge Road (Tax Assessor No. 001-8187) and 16 Wire Mill Road (Tax Assessor No. 001-8189) from Master Plan Category #2 (Residential - Low Density Single-Family) to Master Plan Category #3 (Residential - Low Density Multifamily).

The property is currently used as equipment and material storage and staging for utility companies and the State of Connecticut with two commercial structures used for offices totaling approximately 3,700 square feet. The Applicant intends to redevelop the Subject property with twelve (12) residential townhomes (down from the eighteen (18) originally proposed) and slightly reduce the amount of existing commercial (office) space. Land uses to the south and the east are primarily single-family residential, which aligns with the associated Master Plan Category #2 (Residential - Low Density Single-Family). Land uses to the west and north include a commercial campus with a proposal for residential mixed-use and neighborhood commercial businesses that align with their respective Master Plan Categories, Master Plan Category #8 (Mixed Use - Campus) and Master Plan Category #6 (Commercial - Neighborhood Business). The Master Plan Category #3 (Residential - Low Density Multifamily) would be an appropriate transition between low density residential and nearby commercial uses. Further, residential land use is more aligned with the surrounding neighborhood than the existing industrial land use. As such, Staff recommended approval of the application because it is aligned with an intent of the Master Plan to provide for an orderly transition between uses of different intensity as well as the following Master Plan strategies and policy: Strategy 3B.3, Strategy 6C.2, and Policy 7H: Encourage Infill Development.

Ms. Dell explained the procedure for the Public Hearing. Ms. Dell stated that once the public portion of the Hearing is opened that each speaker try to keep their comments under five (5) minutes as there are many in attendance who would like to address the Board and to also be respectful of the applicant and Board members.

Ms. Cohen made some brief introductory comments and then introduced Mr. Capalbo.

Joseph J. Capalbo II, Esq., representing the applicant, along with Leonard D'Andrea, D'Andrea Surveying & Engineering, PC and Neil Olinsky, Transportation Planner, SLR Consulting, made a presentation and answered questions from the Board.

Ms. Dell opened the public portion of the Public Hearing and asked those wishing to speak to please keep their comments to between 3 and 5 minutes and if the previous speaker has made similar comments to state that you agree with what has been stated and add any additional items as necessary. Ms. Dell turned the meeting over to Ms. Cohen to allow the public to speak and stated that each speaker should state their name and address for the record.

The following residents provided comments:

- Patrick Kasley - Vineyard Lane (Opposed)
- Paul Arvoy - Lancer Lane (Opposed)
- Catina Papademetriou - 61 Wire Mill Road (Opposed)
- Madge Kellick - 4 Hunting Lane (Opposed)
- Michael Kellick - 4 Hunting Lane (Opposed)
- Joanne Mangione - 50 Loughran Avenue (Opposed)
- Barry Michelson - 111 Idlewood Drive representing the Stamford Neighborhood Coalition (Opposed)
- Helen Koven - 56 Wire Mill Road (Opposed)
- Randall Todd - 354 Wire Mill Road (Opposed)
- Ann Rice - 57 Wire Mill Road (Opposed)
- Adele Langie - 16 Hunting Lane (Opposed)
- Martin Munitz - River Oaks Association (Opposed)
- Huma Kahn - Shadow Ridge Road (Opposed)
- Lorri Tamburro - 73 Vineyard Lane (Opposed)
- Gus Papademetriou - 61 Wire Mill Road (Opposed)
- Richard Koven - 56 Wire Mill Road (Opposed)
- Joanne Savino - 70 Vineyard Lane
- Edmond Remondino - 36 Hunting Lane (Opposed)
- Vicki Ray (Opposed)
- Glen Lu - 49 Wire Mill Road (Opposed)
- Thomas Lombardo - 65 Hickory Road (Opposed)

Ms. Dell called for any final speakers; there was no response.

Ms. Dell turned it back to Mr. Capalbo to address the questions posed during the public comments and stated she would then go back to the Board for any final comments.

Ms. Dell called for any final questions from the Board; there was no response.

Ms. Dell noted Mr. Kellick had a raised hand and allowed him to make a final statement.

Ms. Dell stated she did not feel the Board was ready to make a decision tonight and adjourned the public portion of the Public Hearing.

Ms. Dell opened the discussion by the Board.

After considerable discussion, Ms. Dell stated that she would close the Public Hearing and call for a vote on Master Plan Amendment #MP-444.

After considerable discussion, Mr. Tepper recommended ***DENIAL*** of ***Master Plan Amendment #MP-444*** as it would have a negative impact on traffic and safety and Policy 3D and the Master Plan Change would not be aligned with maintaining the abutting Master Plan Categories per Policy 6A: Maintain Residential Neighborhood Character; Mr. Levin seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Buccino, Levin, Perry and Tepper).

The following Zoning Board Application was not heard as the Planning Board denied Master Plan Amendment #MP-444.

COMPANION ZONING BOARD REFERRAL:

1. **ZB APPLICATION #223-29 - JOSEPH J. CAPALBO II, ESQ. representing HORN & HOOFF PROPERTIES, LLC - 961 LONG RIDGE ROAD & 16 WIRE MILL ROAD - Map Change:** Applicant is proposing to rezone 961 Long Ridge Road and 16 Wire Mill Road from the present R-10 (Single-Family, Low Density) to the proposed RM-1 (Multiple Family, Low Density Design District).

Ms. Dell called for a 10-minute break and also stated for the record that the two Zoning Board applications to be heard after the Public Hearing for 208 West Avenue were pulled from the agenda.

REGULAR MEETING CONTINUED AFTER THE PUBLIC HEARING

Ms. Dell resumed the Regular Meeting.

Ms. Dell restated that ZB Application Nos. 223-41 & 223-42 - 208 West Avenue have been pulled.

ZONING BOARD REFERRALS (Continued):

At the applicant's request, ZB Application Nos. 223-41 & 223-42 were pulled from the agenda. These applications will be heard at the January 16, 2024 meeting.

2. **ZB APPLICATION #223-41 - 208 WEST AVENUE, LLC - 208 WEST AVENUE - Text Change:** Applicant is proposing amendments to Section 12.D.23 Self Storage Facilities and Section 4.B.10.c Development standards.
3. **ZB APPLICATION #223-42 - 208 WEST AVENUE, LLC - 208 WEST AVENUE - Map Change:** Applicant is proposing to rezone 208 West Avenue from the current R-MF Zone (Residential Multifamily) to the proposed NX-D Zone (Neighborhood Mixed-Use Design District).
4. **ZB APPLICATION #223-35 - RICHARD REDNISS, REDNISS & MEAD representing ROCKRIMMON COUNTRY CLUB, INC. - 2949 LONG RIDGE ROAD - Special Permit & General Development Plan:** Applicant is proposing to create a new parking lot and modify ZB Application #219-17 to include 0 Long Ridge Road as part of the Special Permit Use.

The property is in Master Plan Category #1 (Residential - Very Low Density Single-Family) and Category #15 (Open Space / Conservation Overlay). The Club received General Development Plan (GDP) approval in 2019, all work of which is complete save for a few small items. To accommodate membership growth, the Applicant would like to increase the number of parking spaces with a new lot of 70 net spaces made of 54 standard spaces and 16 tandem spaces on an adjacent 1-acre undeveloped lot. To facilitate this development, the Applicant has applied for: (a) a Special Permit to extend the existing “Clubs - Country, Golf” use to include an additional 1-acre lot; and (b) an amendment to the GDP to include the 1-acre lot and the proposed improvements.

The new proposed parking lot will be adjacent to the existing parking lot. The 1-acre lot is more than 200 feet setback from Long Ridge Road and the proposed improvements are 73 feet setback from the adjoining property. The landscaping plan shows that a Conservation Easement Area will be maintained.

Since this Application was submitted, the Applicant has met with neighbors, conducted a site visit, listened to comments, and revised the application to exclude pickleball courts, reduce the size of the parking lot addition, and increase the setback from the neighboring home. These amendments are more aligned with the Master Plan and the Open Space / Conservation Overlay than the original proposal due to a decreased lot coverage. Staff recommends approval of this Application as it is aligned with the intent of the Master Plan Category to provide space for uses that support the surrounding neighborhood. Specifically, the Application is aligned with the Master Plan Category #15 purpose to protect open spaces for active and passive use. It is also aligned with the Master Plan Category #1 purpose to allow for uses compatible with residential uses such as Clubs.

Ms. Cohen made some brief introductory comments then introduced Mr. Redniss.

Richard Redniss, Redniss & Mead, representing the applicant, made a presentation and answered questions from the Board.

After some discussion, Mr. Buccino recommended **approval** of **ZB Application #223-35** and that this request is in general harmony with Master Plan Category #1 (Residential - Very Low Density Single-Family) and Master Plan Category #15 (Open Space / Conservation Overlay); Mr. Levin seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Buccino, Levin, Perry and Tepper).

5. ZB APPLICATION #221-22(MOD) - FALASHA CAMPBELL - 110 PROSPECT STREET - Special Permit: Applicant is requesting a modification to the existing Special Permit to allow for an additional room to her current Group Day Care Home. This would change the capacity from a Group Day Care Home for twelve (12) children to a Child Day Care Center for thirty-two (32) children.

The property is in Master Plan Category #9 (Urban Mixed-Use). The category encourages an orderly transition from the intensive Downtown area to adjoining neighborhoods. A larger daycare is compatible with such a transition between an area where people with children live (neighborhoods) and an area where people work (Downtown) because it is not as intense as a use typical of Downtown (e.g., a high-rise building), but it is more intense than a use typical of neighborhoods (e.g., a single-family home). A daycare is also complementary to and supportive of the Downtown, which is a standard of Master Plan Category #9, as people who work in Downtown may be looking for convenient childcare near their office or on their way out of the Downtown. At a City- and nationwide scale, there is a shortage of childcare. This request to increase the size shows proof of its success and demand for its services. Approval of this application is recommended as it is wholly compatible with the Master Plan Category and the Plan encourages such compatible uses to locate in these areas.

Ms. Cohen made some brief comments and answered questions from the Board.

After a brief discussion, Mr. Tepper recommended **approval** of **ZB Application #221-22(MOD)** and that this request is in general harmony with Master Plan Category #9 (Urban Mixed-Use); Mr. Buccino seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Buccino, Levin, Perry and Tepper).

ZONING BOARD OF APPEALS REFERRALS:

1. **ZBA APPLICATION #043-23 - JOSEPH J. CAPALBO II, ESQ. representing FILIPPE & AMY MAGRATH - 38 BENSTONE STREET - Variance of Table III, Appendix B:** Applicant owns a single-family dwelling and is proposing a 29 ft. 9 in. x 23 ft. addition. Applicant is requesting a rear yard setback of 27.8 ft. in lieu of the 30 ft. required.

The property is in Master Plan Category #2 (Residential - Low Density Single-Family). The existing single-family home is noncompliant with the rear yard setback requirement because it is setback 22.5 ft. where 30 ft. is required. The proposed addition is compliant with existing Zoning Regulations except for the rear yard for one corner of the addition. One corner of the addition is proposed to be 27.8 ft. setback in lieu of the 30 ft. required. Given that the existing home is already noncompliant with respect to the rear yard, that this request would be closer to compliance than the existing condition, and that this request is pertinent to one corner of the addition, staff recommends approval of this Application. Staff finds the proposal is in general harmony with the intent of Master Plan Category #2 to provide a suitable environment for single-family dwellings.

Ms. Cohen made some brief comments then introduced Mr. Capalbo.

Joseph J. Capalbo II, Esq., representing the applicant, made a brief presentation and answered questions from the Board.

After a brief discussion Mr. Perry recommended **approval** of **ZBA Application #043-23** and that this request is in general harmony with Master Plan Category #2 (Residential - Low Density Single-Family) to provide a suitable environment for single-family dwellings; Mr. Buccino seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Buccino, Levin, Perry and Tepper).

2. **ZBA APPLICATION #044-23 - SWAGATA SHARMA representing EVAN & CRYSTAL WYLER - ONE APPLE TREE DRIVE - Variance of Table III, Appendix B:** Applicant owns a single-family dwelling with a two (2) car garage, basement and sunroom at the rear of the home. Applicant is proposing to construct a second story addition over the existing footprint to contain four (4) bedrooms with closets, a laundry room and two (2) bathrooms. The existing sunroom will be demolished and replaced with an on-grade patio. The basement and existing garage will also undergo partial renovations. Applicant is requesting: **[a]** a front street line setback of 14.8 ft. in lieu of the 40 ft. required; and **[b]** a front street center setback of 39.8 ft. in lieu of the 65 ft. required.

The property is in Master Plan Category #2 (Residential - Low Density Single-Family). The Applicant is stating the hardship is that a young family wants a starter home to be their forever home. This is not a unique hardship for this lot, nor is it one of the defined considerations for granting a variance. Therefore, this is not relevant to a recommendation or approval. The property is a corner lot required to meet the front yard setbacks on two sides, which is an unusual hardship specific to the lot. While the existing single-family dwelling is compliant with the front yard setback along Apple Tree Drive, it encroaches into the front yard setback along Pine Tree Drive. Thus, any addition that meets the existing wall along Pine Tree Drive would require a variance(s). The concern of Staff is that the setback on Pine Tree Drive is already significantly less than what zoning requires (14.8 ft. in lieu of 40 ft.) and that an additional story and a half so close to the curb may appear too bulky for the lot in comparison to the setbacks required and that of the surrounding buildings. One of the considerations for variances is that the application is the minimum necessary to afford relief. This proposal for an additional four bedrooms and two bathrooms is not the minimum necessary. The proposed addition could be reduced and could still function as a single-family home. Staff finds the requested additional space excessive given the size of the lot and the setbacks and height of surrounding single-family dwellings. Staff has recommended approval for other variance applications that request additions that meet the existing walls; however, staff always takes into account the proposal in relation to surrounding buildings and how the request relates to the lot itself. In this instance, denial of this application is recommended as it exceeds the minimum necessary to afford relief, would be larger and bulkier than the surrounding neighborhood and is not in harmony with the intent of the Master Plan category for low density single-family. A smaller addition could be considered.

After some discussion Mr. Levin recommended **denial** of **ZBA Application #044-23** as [a] the stated hardship is not a valid consideration for granting a variance; [b] the requested additional space is excessive for the lot size and the setbacks and heights of surrounding single-family dwellings; [c] the variance requests exceed the minimum necessary to afford relief; [d] the addition would be larger and bulkier than the surrounding homes in the neighborhood; and [e] it is not in harmony with the intent of Master Plan Category #2 for low density single-family. A smaller addition could be considered. Mr. Buccino seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Buccino, Levin, Perry and Tepper).

3. **ZBA APPLICATION #045-23 - JACQUELINE KAUFMAN, CARMODY TORRANCE SANDAK & HENNESSEY, LLP representing KING SCHOOL, INC. - 1450 NEWFIELD AVENUE - Special**

Permit: The Property is used as a school, non-public use, and is improved with lower, middle, and upper school buildings, a performing arts center building, administrative buildings, athletic fields and associated improvements, tennis courts, child play areas and associated recreational equipment, barns and storage structures, staff housing, driveways and parking areas, and landscaping and lighting.

The applicant proposes modification of existing Special Permits (Exceptions) to allow: [a] a new parking area located on the southerly portion of the campus; and [b] the formalization of an existing asphalt driveway, refuse area, and parking area on the northwesterly side of campus for staff use only. Forty-six (46) new parking spaces are proposed in these two areas, for a revised total of 346 spaces on the Property. New landscaping, fencing, lighting, and drainage improvements are also proposed. King School does not propose any increase to existing student enrollment or alterations to existing buildings as part of this application.

The property is in Master Plan Category #1 (Residential - Very Low Density Single-Family). Taking the formalization of an existing driveway under consideration first, this request is reasonable and logical. The area in question is towards the rear (west) of the property, is screened from residential properties to the west with existing wooded area and is adjacent to a parking area to the north owned by the Italian Center. There will be added landscaping to further screen the area. The formalization and screening are an improvement to an informally used area. The other portion of this application, a new parking area, is located off Intervale Road East and would replace an open green space with a 35-space parking lot. The parking lot includes 4 EV spaces and 2 accessible spaces. The parking lot will be setback from the road 41.5 ft., which is slightly greater than the front yard setback for permitted uses within this zoning district (RA-1 One Family Residence). The wooded area that currently exists between the proposed location and Intervale Road East will be maintained and enhanced with new plantings that include large trees. Given that the proposals will not increase vehicular trips to or from King School, would enhance the landscaped buffers around these two areas, and would be setback from the closest street a distance equal to the required front yard setback for permitted uses, Staff recommends approval of this application, finding it is in general harmony with the Master Plan Category and Special Permit uses for this area.

Jacqueline Kaufman, Esq., Carmody Torrance Sandak & Hennessey, LLP, representing the applicant, made a presentation and answered questions from the Board.

After a brief discussion Mr. Buccino recommended **approval** of **ZBA Application #045-23** and that this request is in general harmony with Master Plan Category #1 (Residential - Very Low Density Single-Family); Mr. Tepper seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Buccino, Levin, Perry and Tepper).

OLD BUSINESS:

Ms. Dell asked Mr. Buccino if he was still on a Board of Education Committee.

Mr. Buccino explained that the Committee is working on the rebuilding of Westhill High School and provided details on the progress of the Committee.

Ms. Dell asked Mr. Perry if he was still on his Committee. Mr. Perry stated that he was asked to participate but was not able.

Ms. Dell asked Mr. Tepper if he was still on a Committee and he responded he was not.

Lastly, Ms. Dell mentioned that Ms. Godzeno is on the Vision Zero Committee and will have her give a report at the December 12, 2023 meeting.

NEW BUSINESS:

- 2024 Meeting Schedule

Ms. Dell stated that since Ms. Godzeno was absent and she had been asked to double-check the dates with reference to school closings this item would be **TABLED** to the December 12, 2023 meeting.

Next regularly scheduled Planning Board meetings are:

- December 12, 2023 (Capital Budget Review)
- December 19, 2023 (Regular Meeting & Capital Budget Review)
- January 9, 2024 (Regular Meeting - **IF NEEDED**)
- January 16, 2024 (Regular Meeting & Public Hearing-Capital Budget)

There being no further business to come before the Board, Ms. Dell adjourned the meeting at 10:25 p.m.

Respectfully Submitted
December 1, 2023

Theresa Dell, Chair
Stamford Planning Board

NOTE: These proceedings were recorded on video and are available for review on the Planning Board website at http://cityofstamford.granicus.com/ViewPublisher.php?view_id=20